

Salt Lake County Council

Committee of the Whole

~MINUTES~

Tuesday, December 16, 2014

[2:38:47 PM](#)

Committee Members

Present:

Randy Horiuchi
Richard Snelgrove
Jim Bradley
Arlyn Bradshaw
Aimee Newton
Sam Granato
Steve DeBry
Max Burdick
Michael Jensen, Chair

Citizen Public Input ([2:38:52 PM](#))

No one appeared for Citizen Public Input.



Letter of Opposition to the Utah State Prison Relocation to Copperton/West Jordan ([2:39:00 PM](#))

Council Member Jensen stated the Prison Relocation Commission released a list of six top sites that it wanted to further explore for the relocation of the state prison. Included on this list was a site in Copperton/West Jordan. The Copperton Community Council is requesting Salt Lake County, as its municipal government, to oppose the relocation of the prison to this site.

Ms. Kathleen Bailey, Copperton Community Council, stated the community council is against the location of the prison to the Copperton site not only for economic reasons, but believes if the prison is built at this location, it would kill the town. Copperton would become a ghost town.

Council Member Jensen submitted a letter for the Council to consider. The letter opposes the use of this site for a prison not only because the site is too close to residential areas, but it would hamper economic growth.

Council Member Bradshaw stated he supports the letter and objects to this site; however, it needs to be noted just because the Council is opposed to this site that does not mean it supports the other proposed sites in the County. If the prison is to be relocated to another part of Salt Lake County, it should just as well stay at its current location.

Council Member Newton stated the population in Salt Lake County is expected to double over the next 30 years. The prison relocation will be problematic anywhere, and will impact the economic development in the County.

Council Member DeBry stated he is confident when the legislators review and update the criteria for the relocation of the prison, that Copperton and the southwest part of the County will be removed from the list. Building a prison in Copperton would only shift the land issues in Draper City to Copperton and West Jordan. The best location might be outside of Salt Lake County.

Council Member Snelgrove, seconded by Council Member Debry, moved to approve the letter and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Burdick was absent for the vote.



Sugar House RDA Project Extension ([2:46:43 PM](#))

Mr. Carlton Christensen, Director, Office of Regional Development, stated the County was approached by Salt Lake City regarding the extension of this RDA project. After looking into the issues, he would recommend the Council support the extension.

Ms. Christina Oliver, Director, Business and Economic Development Division, stated she is recommending the County extend the RDA project for an additional year in order to resolve issues relating to how the new growth in this area will be handled. The State Tax Commission and the County have different interpretations regarding the law. The State Tax Commission wants to absorb the new growth calculation and divvy it out countywide. Meanwhile, the County is saying the taxing entities invested in this new growth and they are the ones who should realize the new growth. The one-year extension will provide time to work through negotiations on how this will be handled.

Council Member Jensen asked if it would entail a simple change in the rule or require a statute change. He is concerned that one year is not enough time for a statute change.

Mr. Darrin Casper, Chief Financial Officer, Mayor's Office, stated the extension is for one year with an option for an additional year if needed.

Council Member DeBry, seconded by Council Member Newton, moved to approve the extension and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Burdick was absent for the vote.



Reiki Business Zoning Ordinance ([2:52:48 PM](#))

The Council reviewed the following zoning ordinance that will be heard during the December 16, 2014, Council meeting:

Application #29020 – Salt Lake County to amend the County Ordinance in order to define a Reiki business and allow for that land use as a conditional use in the RM, C-1, C-2, and C-3 zones.

Ms. Brittany Allen, Permitting and Licensing Supervisor, Planning & Development Services Division, stated the proposed ordinance defines Reiki and places this business as a conditional use in the RM, C-1, C-2, and C-3 zones. This ordinance has been reviewed by Reiki masters who provided input on the definition. All the community councils and township planning commissions were in favor of the ordinance, except for the Sandy Hills Community Council, which felt the business should be regulated through the Department of Professional Licensing (DOPL). The DOPL sent a letter indicating it has no intention of regulating this business, but it is supportive of the proposed ordinance. The main objective of this ordinance is to regulate the business so the criminal element would not be allowed to practice, but not hinder the legitimate practitioners.

Council Member Snelgrove asked since the DOPL does not require any kind of a license, what would prevent someone from just hanging out a shingle and starting a business. He asked where the RM and commercial zones were located, and if this could be a home based business.

Ms. Allen stated nothing would prevent a person from going into business as a professional Reiki practitioner. The RM and commercial zones are located throughout the valley. It is the same zones where doctor offices are located. This can be a home based business, but it would need to follow the requirements for a home-based business as well as the requirements imposed for conditional use.

Council Member DeBry asked how this ordinance would help prevent the criminal element that currently exists within the Millcreek Township area.

Ms. Allen stated this ordinance lists the Reiki business as a conditional use permit, which would require the applicant to go before a public body and explain what it is proposing. Then the planning commission could put limits on the activity, i.e. hours of operation, etc. It forces business owners out in the light. The ordinance also provides that if a criminal activity occurs, the conditional use permit can be revoked.

Council Member Newton stated the ordinance allows for the manipulation of tissue. Reiki masters generally do not touch the body.

Ms. Allen stated the legitimate practitioners do touch the body in order to manipulate the tissue.

Council Member Newton stated the County needs to be very careful so it does not punish legitimate practitioners because of the illegal actions of others. She appreciated that input was received from professionals in this field.

Council Member DeBry, seconded by Council Member Granato, moved to approve the ordinance and forward it to the 4:00 p.m. Council meeting to be formally introduced. The motion passed unanimously.



Zoo, Arts & Parks (ZAP) 2015 Funding Recommendations ([3:04:50 PM](#))

Mr. Richard Turpin, Chair, Zoo, Arts & Parks (ZAP) Tier I Advisory Board, submitted the following list of organizations recommended for funding for 2015 by the Zoo, Arts & Parks Tier I Advisory Board:

<u>Organization</u>	<u>Percentage</u>
Art Access	0.649
Ballet West	9.522
Discovery Gateway	2.750
Hale Centre Theatre	9.221
Repertory Dance Theatre	0.860
Ririe-Woodbury Dance Company	1.174
Salt Lake Acting Company	1.883
Utah Museum of Contemporary Art	1.438
Salt Lake City Arts Council	2.740
Utah Film Center	1.405
Salt Lake Film Society	2.784
Spy Hop Productions.....	1.525
The Grand Theatre Foundation	0.568
The Living Planet Aquarium.....	5.451
Natural History Museum of Utah.....	9.970
Pioneer Theatre Company.....	6.793
Red Butte Garden and Arboretum	9.152
Tanner Dance Program.....	1.800
Utah Museum of Fine Arts.....	3.936
Utah Arts Festival	2.200
Utah Heritage Foundation	0.693
Utah Humanities Council.....	1.013
Utah Symphony & Opera.....	22.473

The following two organizations were recommended for Zoo, Arts & Parks (ZAP) Zoological funding for 2015 based upon the total qualifying expenditures:

<u>Organization</u>	<u>Percentage</u>
Friends of Tracy Aviary	5.50
Utah Zoological Society	94.50

Mr. Turpin stated this year, the reauthorization of the ZAP tax passed with 78 percent approval, making it one of the most popular programs in Salt Lake County. The arts are an engine for economic development. In 2013, the groups sponsored by ZAP spent over \$67

million in Salt Lake County, and 3.8 million residents attended ZAP events, or which 1.6 million attended free of charge. Furthermore, ZAP sponsored groups employed 821 full-time staff, and 1,638 part-time staff, and had 8,500 volunteers. In terms of educational outreach, 485,000 people attended events in educational programs sponsored by ZAP.

All through the year, the ZAP Tier I Advisory Board monitors the groups sponsored by ZAP by attending board meetings and events. At year's end, each group fills out a very complicated, detailed application. Board members then read and score each application, and meet together to make recommendations to the Council. This is a competitive process, and no organization is guaranteed funding. Factors considered by the board include how the group serves the community, how it is governed, its cultural and artistic significance, managerial capability, stability, organizational flexibility, and financial health.

Twenty five organizations applied for Tier I funding, but only 23 can be approved. The Leonardo and Kingsbury Hall were not funded, but are being funded by Tier II. Neither group filed an appeal or request for clarification.

Council Member Bradshaw, seconded by Council Member Newton, moved to approve the recommendations for ZAP Tier I funding and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.

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Zoo, Arts & Parks 2016 Tier I Advisory Board Qualifying Expenditures ([3:11:15 PM](#))

Mr. Richard Turpin, Chair, Zoo, Arts & Parks (ZAP) Tier I Advisory Board, stated the ZAP Tier I Advisory Board is recommending raising the Tier I minimum three-year average of qualifying expenditures to \$330,900. This would be effective for the 2016 Tier I application process. This is the minimum amount of qualifying expenses needed to enter Tier I. The threshold is a statutory requirement, without which there would be considerable compression between Tier I and Tier II. The recommended increase is based on the Western Urban Consumer Price Index (CPI) from July 2013 to June 2014, which increased by 1.63 percent. As of today, only the Grand Theater would fall below that expenditure, and the issue has been discussed with the applicant.

Council Member Bradshaw, seconded by Council Member Bradley, moved to approve the request and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.

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Review of Proposed Hires ([3:15:31 PM](#))

Mr. Brad Kendrick, Assistant Fiscal Analyst, Council Office, reviewed the following requests for hires:

Information Services Division

Requests to fill a Server Administrator 31/33/35/37 position.

Facilities Services Division

Requests to fill a Mechanical Systems Supervisor 31 position.

Parks & Recreation Division

Requests to fill an Aquatics Recreation Program Coordinator 19/21/23 position.

Mayor's Office

Requests to fill a Director of Government Relations position and Senior Advisor to the Mayor appointed position.

Treasurer's Office

Requests to fill a Taxpayer Services Specialist 15/17 position.

Assessor's Office

Requests to fill a Personal Property Appraisal Manager 30 position, three Personal Property Appraiser 22/24/26 positions, a Personal Property Audit Manager 32 position, and two Personal Real Property Specialist 15/17 positions.

Auditor's Office

Requests to fill an Administrative Assistant appointed position and a Chief Deputy Auditor appointed position.

District Attorney's Office

Requests to fill a Division Administrator 43 position.

Sheriff's Office

Requests to fill a Jail Assistant Commissary Visiting Supervisor 19 position and a Jail Billing Specialist 16 position.

Youth Services Division

Requests to fill an After School Program Manager 30 position.

Salt Lake County Health Department

Requests to fill a Public Health Nurse 30 position, a part-time Public Health Nurse 30 position, a Public Health Nutritionist 23/25 position, and a Community Health Education Coordinator 27 position.

Animal Services Division

Requests to fill a Customer Care Associate 18 position.

Council Member Bradshaw, seconded by Council Member Newton, moved to approve the requests. The motion passed unanimously.

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CONSENT AGENDA ([3:16:07 PM](#))

Board Appointments

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointments of *Richard Tymczyszyn*, *Marcus Kaller*, and *Martin Gregory* as members of the Bicycle Advisory Committee to serve three-year terms. Their terms will begin January 1, 2015, and end December 31, 2017.

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointment of *Mark Johnston* as a member of the Salt Lake County Housing

Authority to serve a three-year term. His term began November 1, 2014, and will end October 31, 2017.

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the appointment of *Catherine Rogers* as a member of the Salt Lake County Commission on Youth to serve a one-year term. Her term began June 1, 2014, and will end June 30, 2015.

Council Member Snelgrove, seconded by Council Member DeBry, moved to approve the appointments and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.

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Resolutions and Interlocal Agreements

The Council reviewed the following resolutions and agreements. The resolutions authorizing execution of the agreements have been placed on the Council agenda for final approval and execution:

Property Exchange Agreement

Sugar House Park Authority and *Salt Lake City School District* regarding the exchange of .533 acres adjacent to Highland School for .533 acres within Sugar House Park. The land exchange will enable the Salt Lake City School District to construct a new baseball field for Highland High School.

Council Member Jensen stated there was a typographical error in Item D, Paragraph 4, of the agreement. The extra words "for the need" should be eliminated. He asked that the motion reflect the change.

Interlocal Agreement

Sandy City regarding the donation of \$10,000 to be used for the completion of the Utah Freedom Memorial. In exchange, Sandy City will identify Salt Lake County as a key sponsor of the memorial.

Council Member Newton asked what the process was for deciding to donate to this memorial.

Ms. Erin Litvack, Director, Community Services Department, stated this request came from the Parks & Recreation Division. It was a request for a partnership for the memorial. Since this was not a new appropriation, and there were funds in the existing budget, the request did not go through the Tourism, Recreation, Cultural, and Convention (TRCC) Advisory Board.

Council Member Jensen stated the Freedom Memorial deals with the 9/11 event and draws people from outside the County. It is more of a regional memorial.

Council Member Bradley stated this was a very worthwhile donation. He asked if more of these requests would be coming to the Council.

Council Member Jensen stated any other requests would be reviewed on a case-by-case basis.

Council Member Snelgrove, seconded by Council Member DeBry, moved to approve the resolutions and agreements as amended, and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.

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Mayor's Community Contribution Recommendations

The Council reviewed the recommendation of the Contribution Review Committee for the following community contributions to be appropriated from the Mayor's 2014 budget:

Utah AIDS Foundation	\$ 500.25
Salt Lake County Golf Program (20-\$100 golf gift cards)	\$2,000.00
Clark Planetarium (14-\$50 gift cards)	\$ 700.00

Council Member Snelgrove, seconded by Council Member DeBry, moved to approve the recommendations and forward them to the 4:00 p.m. Council meeting for formal consideration, and found the County received fair and adequate consideration for the contributions. The motion passed unanimously.

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Other Business

Cancellation of Meetings

Council Member Snelgrove, seconded by Council Member DeBry, moved to cancel the December 23, 2014, and December 30, 2014, Committee of the Whole and Council meetings. The motion passed unanimously.

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Approval of Minutes

Council Member Bradshaw, seconded by Council Member Granato, moved to approve the December 9, 2014, Committee of the Whole minutes. The motion passed unanimously.

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District Attorney Building Flood ([3:21:33 PM](#))

Council Member Jensen stated this was an exigent matter that needed to be discussed.

Mr. Sim Gill, District Attorney, stated sometime between Saturday night and Monday morning, a pipe broke between the fifth and sixth floors of the Broadway Centre building, which houses many employees of the Criminal Division. He was notified of the problem at 6:30 AM on Monday. By that time a substantial amount of water had seriously damaged the fourth and fifth floors, with collateral damage to the first, second, and third floors. Water has been extracted, and the drying process has begun with dehumidifiers and over 200 fans. Only one of four elevators is currently working. There is a concern for water pooling between the walls and causing additional damage or mold. Damage assessments are ongoing.

Yesterday, protocols were put in place to handle the attorneys' caseloads, particularly jail bookings. Teams from County Information Services, Risk Management, and Facilities Management were onsite and providing valuable help.

This is a significant fiscal and logistical event that he wanted the Council to be aware of. The original plan was to reoccupy the fourth and fifth floors by Friday. However, ongoing damage assessments may conclude that the floors need to be evacuated for up to four weeks. Various County agencies are helping to find office space that could absorb two floors worth of attorneys and staff.

Council Member DeBry asked what type of attorneys were affected by the flooding and how will it impact case loads and prosecutions.

Mr. Gill stated the flood affected all screener teams, the public space where witnesses gather, the entire gang team, paralegals, and the juvenile team. A temporary table has been set up in the lobby to capture witness citizens and bring them to the court room. A skeleton crew is in place to address jail bookings. Right now, the staff is trying to keep the shop open and functioning. Within the next 72 hours, they will know if the fourth and fifth floors need to be evacuated for a longer period of time.

Council Member Bradley stated he thought additional space was available for lease within the Broadway Centre.

Mr. Gill stated that is not enough space to meet the needs of two full evacuated floors.

Council Member Bradley asked if the deductible on the County's insurance policy was \$100,000.

Mr. Gill stated yes.

Council Member Bradley asked if there was some liability for this on the part of the building owner.

Mr. Gill stated the District Attorney's Office is looking at all options.

Council Member Snelgrove asked who would give the order to evacuate the two floors for up to four weeks.

Mr. Gill stated it would come from the professionals who are evaluating the extent of the damage, including any structural damage. For instance, carpet may have to be completely removed instead of just dried. The goal is to fix the problem without compromising the safety or health of County employees.

Council Member Snelgrove asked if disaster cleanup should be handled by the landlord.

Mr. Gill stated right now, it is being handled by the County's Risk Management and the landlord.

Council Member DeBry asked what caused the pipe to break.

Mr. Gill stated an exact cause is not yet known.

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The meeting adjourned at [3:38:36 PM](#).

Chair, Committee of the Whole

Deputy Clerk

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